

## REMARKS

### **I. Status of Claims**

Claims 1-78 are pending in the application. Claims 1, 2, 8-12, 19-20, 21-23, 29-32, 38-39, 40-41, 47-51, 57-58, 70-71, 59-61, 67-68 and 77-78 stand rejected under 35 U.S.C. §102(e) as being anticipated by Anderson, Jr. et al (US Patent No. 6,578,203). Claims 3-7, 14-18, 24-28, 33-36, 42-45, 52-56, 62-66 and 72-75 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson, Jr. et al. (US Patent No. 6,578,203) in view of Narayanaswami (US Patent No. 6,657,654).

Claims 6, 13, 15, 17/ 23, 25-27, 32-68, 71, and 73-78 are cancelled with this amendment. Claims 1-5, 7, 9, 10-12, 14, 16, 18-19, 21-22, 24, 28-29, 31, 70 and 72 have been amended in this amendment. Reconsideration of the claims remaining in the present application is respectfully solicited.

### **II. Summary of Applicants' Claimed Invention**

The Applicants' invention is used in the field of "entertainment". The claimed invention is for methods and systems that enable the capture of live venue-based data including simultaneously viewable video images for RF transmission to hand held devices and that enable simultaneous, real-time viewing/display of video images on displays associated with hand held devices. The key feature of Appellants' invention is simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices. Another feature is in the ability for users to use a hand held device to view in-play camera views received at an entertainment venue together with other simultaneously transmitted video signals.

Aspects of the invention as claimed and explicitly defined in the specification enables the capturing of video images from more than one perspective of a venue-based activity using more

than one video camera and processing of the video images into venue-based data formatted for wireless transmission via a wireless communications for display at the venue by more than one hand held device including a display screen and adapted for simultaneously viewing of more than one perspective of venue-based data captured by more than one video camera. FIG. 5 of Appellants' specification is shown below to illustrate a typical scenario wherein a hand held device 60 is able to display images captured at a sports venue by cameras  $C_1$ ,  $C_2$ ,  $C_3$  and  $C_4$ . The images are wirelessly received through a wireless data transmitter/receiver 110. A server 100 is shown as receiving captured images as data ( $D_1$ ,  $D_2$ ,  $D_3$  and  $D_4$ ) in order to format the data for display at on a display screen 61 provided as part of the hand held device 60.

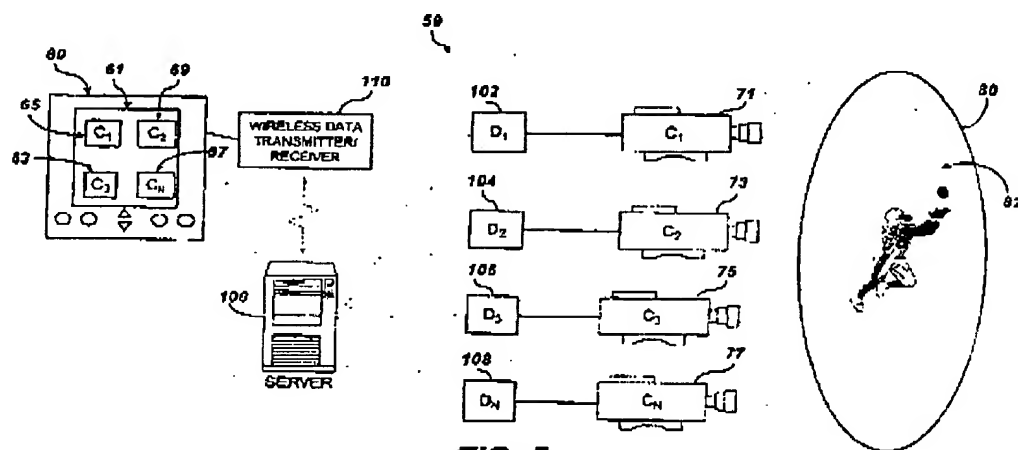
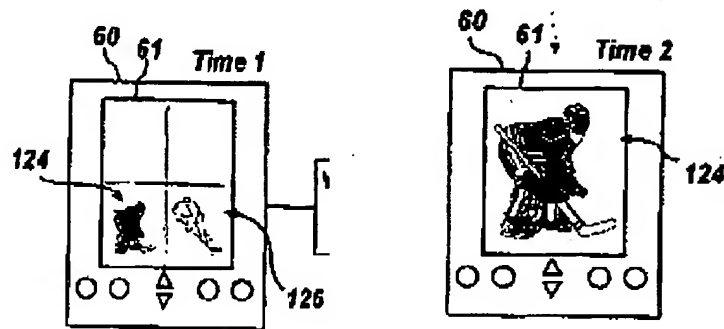


FIG. 5

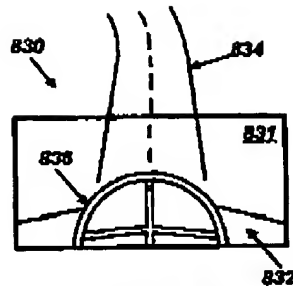
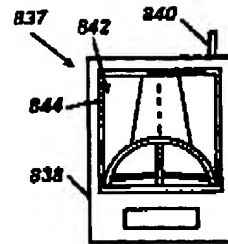
Aspects of the invention as claimed and explicitly defined in the specification also provides that data displayed on the hand held device can include simultaneous video ( $C_1 - C_N$ ) captured by cameras at a venue, instant replay video data, promotional information, and advertising information.

Aspects of the invention as claimed and explicitly defined in the specification also provides that a user can have a hand held device display a single video perspective on the display screen following a user selection of the single video perspective at the user interface displaying the processed data including simultaneous video images 124 and 126 on the display screen 61 as

shown below in the examples of Time 1 and Time 2 taken from FIG. 7 of Appellants' specification, in response to user input through a user interface 61 (e.g., touch sensitive-enabled display) associated with the hand held device 60.



Aspects of the invention as claimed and explicitly defined in the specification also provides that the hand held devices 58 be adapted for use to select at least one in-play camera view from more than one in-play camera view being simultaneously displayed on the display integrated with the hand held device. In-play camera views can be obtained from, for example, the inside of a race car as depicted in FIGS. 23 and 24 of Applicants' specification, copied below for illustration. FIG. 23 shows the perspective 831 that can be captured by a camera from inside the race car, while FIG. 24 illustrates presentation of the captured view 831 at a display area 844 associated with a hand held device 838.

**FIG. 23****FIG. 24**

Aspects of the invention as claimed and explicitly defined in the specification provides that hand held devices receiving venue-based in-play camera data can process data representing more than one visual perspective at a time for simultaneous display on a display screens associated with the hand held devices, thereby enabling users of the at least one hand held device to select one visual perspective for viewing from the more than one perspective simultaneously displayed on the hand held device as described above with respect to FIG. 7.

Hand held devices used in the invention as claimed and explicitly defined in the specification can include PDAs, hand held televisions and data-enabled wireless telephones having an integrated display screen.

Cameras used in the invention as claimed and explicitly defined in the specification can include wide-angle, wireless and fixed cameras.

Communications between cameras and hand held devices as claimed and explicitly defined in the specification can includes use of public or private, secured or non-secured wireless equipment (e.g., servers, gateways, transmitters) and communications networks (e.g., wireless LAN, CDMA, GSM) as described with respect to FIG. 10 in the application.

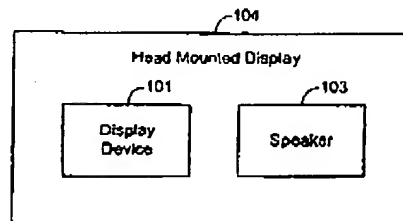
### **III. Summary of Cited References**

Patent references Anderson, Jr. et al (US Patent No. 6,578,203) and Narayanaswami (US Patent No. 6,657,654) were used by Examiner as prior art against Applicants' claims. Applicants

believe a summary of Anderson and Narayanaswami will be useful to understanding the distinctions between them and Applicants' claimed invention. The Anderson and Narayanaswami references are summarized and distinguishable from Applicants' claimed invention as follows:

**A. Anderson (US Patent No. 6,578,203):**

Two key distinctions are found in the Anderson et al reference. First, Anderson is not operated as a "hand held device", and the device described in the Anderson reference is specifically referred to and taught as being a "head mounted display." In fact, the Anderson reference is entitled "audio/video signal distribution system for Head Mounted displays." FIG. 4 copied from Anderson shows the device 104 as being a "Head Mounted Display." Second, Anderson does not teach, nor can it reasonably expect to achieve with its head mounted display form factor, the real-time, *simultaneous* viewing of video captured from more than one camera at an entertainment venue.



**FIG. 4**

With regard to the first distinction, the preferred embodiment of Anderson teaches a head mounted display in a well known form factor similar to binoculars. Anderson requires the user to mount a binocular-like device up to the user's eyes in order to view a video presentation. Anderson describes the head mounted display "HMD" 104 by referring to another well known "head mounted" device from the prior art. Specifically, the Anderson reference calls on support for a HMD into his specification by referring to U.S. Patent No. 5,844,656 entitled "Head

Mounted Display with Adjustment Components” by Ronzani et al, which is specifically incorporated by reference in Anderson (i.e., see column 25, lines 25-30). A close review of Ronzani et al reveals that HMD 104 in Anderson is not in fact a hand held device. FIGS. 1-9 clearly teach a device that is “head mounted” and not a device that is “hand held”. FIG. 8 of Ronzani has been copied below to illustrate the type of device taught by Anderson.

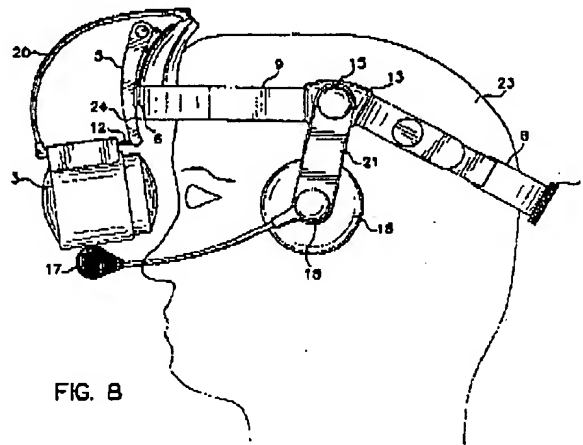


FIG. 8

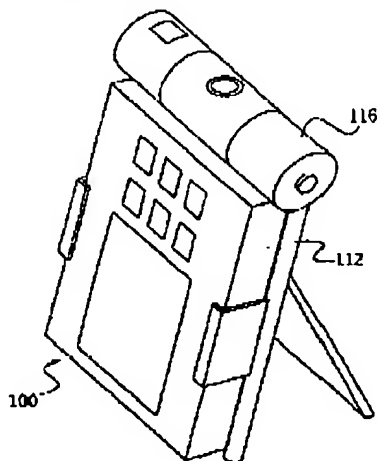
The HMD 20 taught by Ronzani et al, like Anderson's, must be attached to a person's head 23 during use. As indicated at column 3, lines 39-65 of Ronzani et al, a headband (8) is utilized to attach the HMD to a person's head (23). Additionally, Ronzani et al points out at column 2, lines 15-17 that it is “a further object of this invention to provide an adjustable HMD that is designed to be comfortably worn over a long period of time”.

Thus, the HMD taught by Ronzani et al and Anderson is worn by or attached to a person's head and does not constitute a hand held device during operation. The Anderson device is not similar to the “hand held” device taught by appellants, such as PDAs, cellular telephones, hand held televisions, or the like, which are specifically held in a user's hand during use for viewing video and are more conducive to enabling the user to view more than one video signal simultaneous on a display and for enabling selection of a single video image by the user.

**B. Narayanaswami (US Patent No. 6,657,654):**

Narayanaswami teaches a camera for use with a personal digital assistant having a high speed communications link. The Narayanaswami device is useful to hand held device users to record video using their hand held devices; but Narayanaswami does not teach or suggest the ability to simultaneously view more than one in-play perspective capture by more than one remote video camera at a live entertainment venue. The Narayanaswami could be useful, for example, in the field of investigative journalism because it may enable a journalist to record notes and capture video of an interviewed subject simultaneously. Nevertheless, Mann independently fails as a reference against applicants' claims for the following reasons.

As shown below in FIG. 6, the personal digital assistant 100 includes a detachable camera 116 that can be removably coupled to the PDA 100 by a cradle 112. The PDA 100 is only taught in the Narayanaswami patent reference as being used to record a single video signal as captured by the camera 116 when it is coupled to the PDA 100; otherwise, Narayanaswami fails to teach more than simple video recording of a single event.



*Fig. 6*

In summary, Narayanaswami does not teach viewing of simultaneous video on a hand held device. Narayanaswami does not teach a user's ability to select only one video perspective

for viewing from more than one video perspective being simultaneously viewed as video on the display associated with a hand held device. Finally, Narayanaswami is directed to an entirely different field of use than live entertainment, although the end product of data captured and processed by the Narayanaswami device can be used for entertainment at a much later time.

#### IV. Rejection under 35 U.S.C. §102 as Anticipated by Anderson et al.

A general definition of *prima facie* unpatentability under 35 U.S.C. § 102 is provided at 37 C.F.R. §1.56(b)(2)(ii):

*A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability. (emphasis added)*

"Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W.L. Gore & Associates v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983) (citing *Soundsciber Corp. v. United States*, 360 F.2d 954, 960, 148 USPQ 298, 301 (Ct. Cl.), *adopted*, 149 USPQ 640 (Ct. Cl. 1966)), *cert. denied*, 469 U.S. 851 (1984). Thus, to anticipate the applicants' claims, the reference(s) cited by the Examiner must disclose each element recited therein. "There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ 2d 1001, 1010 (Fed. Cir. 1991).

To overcome the anticipation rejection, the applicants need only demonstrate that not all elements of a *prima facie* case of anticipation have been met, *i.e.*, show that the reference cited by the Examiner fails to disclose every element in each of the applicants' claims. "If the examination at the initial state does not produce a *prima facie* case of unpatentability, then



without more the applicant is entitled to grant of the patent." *In re Oetiker*, 977 F.2d 1443, 24 USPQ 2d 1443, 1444 (Fed. Cir. 1992).

Anderson does not teach each and every element of Applicants' invention as claimed in independent claims 1, 10, 21, 31 and 70. These claims, with amendments underlined, provide as following:

1. A method for transmitting venue-based in-play camera views for display at a hand held device, said method comprising the steps of:

simultaneously transmitting more than one video signal captured by more than one video camera located at an entertainment venue said more than one video signal including at least one in-play camera view from at least one in-play camera located at an in-play location within the entertainment venue;

processing said more than one video signal for display on a display associated with a hand held device; and

displaying said at least one in-play camera view on said display.

10. A method for transmitting entertainment venue-based in-play camera views for simultaneous display at a hand held device, said method comprising the steps of:

more than one in-play camera simultaneously capturing in-play camera views from within an entertainment venue; and

simultaneously transmitting said in-play camera views directly from said more than one in-play camera to at least one hand held device.

21. A method for transmitting venue-based in-play camera views for simultaneous display at a hand held device, said method comprising the steps of:

simultaneously transmitting in-play camera views from in-play cameras located at ~~an~~ in-play locations within a venue to enterprise equipment;

processing said in-play camera views at said enterprise equipment for transmission to at least one hand held device for selective display at a display screen associated with said at least one hand held device; and

transmitting processed in-play camera views to at least one hand held device.

31. A method for receiving venue-based in-play camera views for simultaneous display at a hand held device, said method comprising the steps of:

simultaneously receiving in-play camera views provided from at least one in-play camera at a hand held device;

processing said in-play camera views for viewing on a display associated with said hand held device; and

displaying more than one in-play camera view simultaneously on a display screen associated with said hand held device, thereby enabling hand held device users to view said in-play camera views through said hand held device.

70. A system for receiving venue-based in-play camera views for display at a hand held device, said system comprising:

a receiver in a hand held device for simultaneously receiving in-play camera views provided from in-play cameras at an entertainment venue;

a processor in said hand held device for processing said in-play camera views for viewing on a display associated with said hand held device; and

a display integrated with said hand held device for simultaneously displaying more than one processed in-play camera view.

Anderson does not teach a "hand held device" as claimed in independent claims 1, 10, 21, 31 and 70; which is especially clear in light of Anderson's incorporation of the teachings of U.S. Patent No. 5,844,656 entitled "Head Mounted Display with Adjustment Components" by Ronzani et al, et al by reference into his specification to enable his claims.

Anderson does not teach "simultaneously transmission, receipt, processing or display receiving in-play camera view as claimed as various aspects of independent claims 1, 10, 21, 31 and 70.

Applicants believe their amendments clarify the intended scope of claims 1, 10, 21, 31 and 70 and that these claims overcome the rejection. Applicants respectfully request reconsideration of the claims.

**V. Rejection under 35 U.S.C §103 as being unpatentable over Anderson et al. in view of Narayanaswami**

M.P.E.P. §2143 sets out the three basic criteria that a patent examiner must satisfy to establish a *prima facie* case of obviousness:

1. some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;
2. a reasonable expectation of success; and
3. the teaching or suggestion of all the claim limitations by the prior art reference (or references when combined).

It follows that in the absence of such a *prima facie* showing of obviousness by the examiner (assuming there are no objections or other grounds for rejection), an applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443 (Fed. Cir. 1992). Thus, in order to support an obviousness rejection, the Examiner is obliged to produce evidence compelling a conclusion that each of the three aforementioned basic criteria has been met.

Neither Anderson nor Narayanaswami, alone or in combination, meet all three basic criteria required for establishment of a prima facie case of obviousness. Anderson and Narayanaswami, either alone or in combination, do not teach or suggest simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices. Furthermore, Anderson and Narayanaswami, alone or in combination, do not teach or suggest the ability for users to use a hand held device to view in-play camera views received at an entertainment venue together with other simultaneously transmitted video signals.

One skilled in the art would not be motivated after reading Anderson and/or Narayanaswami to provide methods enabling simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices. One skilled in the art would not be motivated after reading Anderson and/or Narayanaswami to provide a hand held device including a display adapted to view in-play camera views received at an entertainment venue together with other simultaneously transmitted video signals.

Applicants' believe the rejection has been overcome, especially in light of clarifying amendments provided herein. Applicants, therefore, respectfully request reconsideration of the rejected claims and early issuance of their patent.

**VI. Conclusion**

Applicants believe that the present invention is not taught, suggested or disclosed in the cited reference of record, and can not be provided except by undue experimentation.

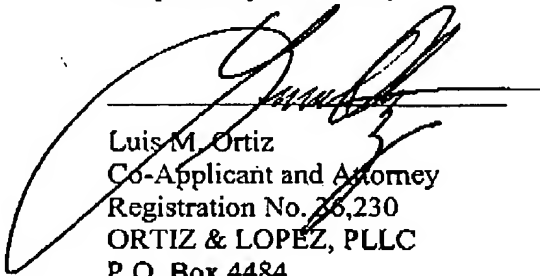
Applicants believe they have responded to each and every rejection of the Official Action. The Applicants have clarified the structural distinctions of the present invention and have attempted to accurately characterize the cited references in their remarks.

Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §102 and under 35 U.S.C. §103 based on the amendments and remarks. Reconsideration and early allowance of Applicants' application is also respectfully solicited.

The Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application should there be any outstanding matters that need to be resolved in the present application.

Respectfully submitted,

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